



Braintree Town Council Committee on Ordinance & Rules

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

David Ringius, Jr, Chairman
Steven Sciascia, Vice- Chairman
Julia Flaherty, Member
Lawrence Mackin, Jr, Member

November 3, 2021 MINUTES

A meeting of the Committee on Ordinance & Rules was held in Johnson Chambers on Wednesday, November 3, 2021 beginning at 6:32pm.

Chairman Ringius was in the Chair.
Clerk of the Council, Susan Cimino conducted the roll call.

Present: David M. Ringius, Jr, Chairman
Steven Sciascia, Vice-Chairman
Julia Flaherty, Member
Lawrence Mackin, Jr, Member
Also Present: Nicole Taub, Chief of Staff/Town Solicitor

David M. Ringius, Jr, Chairman of the Committee on Ordinance & Rules asked for a moment of silence for our first responders and all those serving our military home and abroad.

Approval of Minutes

• September 21, 2021

A Motion was made by Councilor Sciascia Approve Minutes of September 21, 2021

Motion: by Councilor Sciascia to Approve Minutes of, September 21, 2021

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

Old Business

• 21 028 Mayor: Ordinance to Establish Anti Blight Program or take up any action relative thereto

Chairman Ringius asked for a Motion to Take off the Table Order 21 028

A Motion was made by Councilor Sciascia to Take off the TABLE Order 21 028

Motion: by Councilor Sciascia to Take off the TABLE Order 21 028

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

Chairman Ringius stated this was discussed at O&R on June 14, 2021. Committee voted to send it to the full Council with a favorable recommendation (3 in favor/1 opposed). On June 15, 2021 at the full Council meeting this was referred back to O&R. We recently received an updated memo with revisions from the Mayor's office.

Chairman Ringius asked if anyone from the Mayor's staff would like to speak this evening.

Nicole Taub stated when the original draft was voted in O&R it was then shared with the Chamber and they were concerned about what impacts this might have on the business community and started a dialogue about possible revisions to the language that was before this committee previously. They asked to meet and asked for some revisions to the original draft. The majority of those changes were made (see redlines on October 26, 2021 copy provided). They requested safeguards and waiver ability for business owners who may not have control over the premises which they have their business at. As for Councilor Sciascia's proposal and thinking how to address issues with residential properties we did add those residential properties that were abandoned or vacant for 90 days or more. That would be vacant for no apparent reason. We hope this provides incentive to those commercial properties that are left in disrepair and for those properties to be cleaned up. Ms. Taub read into the record a letter of support from the Braintree Chamber. There was also a letter of support from Rayna Rubin.

Councilor Sciascia stated are blighted properties defined only for Commercial properties in this Ordinance?

Ms. Taub stated correct.

Councilor Sciascia stated the only part of this Ordinance that has to do with residential is for vacant properties.

Ms. Taub stated correct. Any Vacant residential property that is unoccupied for greater than 90 days...

Councilor Sciascia asked a few words be removed:

Blighted Premises

D. Because of fire, wind or other natural disaster, or because of physical deterioration, it is no longer ~~habitable as a dwelling~~ useful for the purpose for which it was originally intended;

Nicole Taub, Chief of Staff agreed to remove these words (redlined above).

Councilor Flaherty asked who would grant waivers if requested.

Ms. Taub stated it would be the Mayor. They would apply for a waiver at the Health Department but the decision will be with the Mayor.

Chairman Ringius stated the Chamber now supports this. There is also a letter from Councilor O'Brien that should be in the record for his opposition.

Chairman Ringius asked if there was a Motion for Order 21 028.

A Motion was made by Councilor Sciascia for favorable recommendation to the full Council.

Motion: by Councilor Sciascia favorable recommendation to the full Council Order 21 028 as amended.

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

• **20 034 Councilor O’Brien: 8.800 Single-Use Plastic Bag Reduction Bylaw or take up any action relative thereto**

Chairman Ringius asked for a Motion to Take off the Table Order 20 034

A Motion was made by Councilor Sciascia to Take off the TABLE Order 20 034

Motion: by Councilor Sciascia to Take off the TABLE Order 20 034

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

Chairman Ringius stated at our last meeting we had some discussion on this. We decided to reach out to our State Delegation to see what the status of this is at the state house level. We don’t want to create one that would be superseded by the state. Clerk Cimino did draft a letter which I as Chairman did endorse. We sent that off to our State Delegates (Senator Keenan and Timilty and Representative Cusack). As of November 2, 2021, Senator Keenan’s office is the only response we have received. I think we should table this at this time and all review the information from Senator Keenan’s office.

Chairman Ringius asked if there was a Motion to Table Order 20 034 to a future meeting.

A Motion was made by Councilor Sciascia to TABLE Order 20 034.

Motion: by Councilor Sciascia to TABLE Order 20 034 to a future meeting

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

- **002 21 Councilor Sciascia/Councilor Connors: Amendment to By-law Section 135-1101 or take up any action relative thereto**

Chairman Ringius asked for a Motion to Take off the Table item 002 21

A Motion was made by Councilor Sciascia to Take off the TABLE item 002 21

Motion: by Councilor Sciascia to Take off the TABLE item 002 21

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

Chairman Ringius stated at the last O&R we were waiting to hear from the Mayor’s office on this and Councilor Sciascia was to set up a meeting with the Mayor.

Councilor Sciascia stated I met with Attorney Huff and the Mayor. This proposal had two pieces to it. One the residential abandoned properties that we incorporated in Order 21 028. The drainage piece, Attorney Huff came up with some very concise language which essentially says you may not drain any water off your property over the town sidewalk.

Nicole Taub stated because this is a Zoning Ordinance it has to through the Zoning Ordinance approval process so we would look for the Planning Board to sponsor and move it through that track once we get the ok that satisfies the issues.

Chairman Ringius asked if there was a Motion to Table item 002 21 to a future meeting.

A Motion was made by Councilor Sciascia to TABLE item 002 21

Motion: by Councilor Sciascia to TABLE item 002 21

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

- **003 21 Councilor Sciascia: Inclusionary Amendment or take up any action relative thereto**

Chairman Ringius asked for a Motion to Take off the Table item 003 21

A Motion was made by Councilor Sciascia to Take off the TABLE item 003 21

Motion: by Councilor Sciascia to Take off the TABLE item 003 21

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

Councilor Sciascia stated I met with the Mayor and had discussions on this item. Since this is a Zoning Ordinance it will also go to through the Planning Board and then come back to the Council.

Nicole Taub stated we do have the draft of the Ordinance and working on definitions to make sure everything is consistent and Planning Board is reviewing the draft to make sure they are in agreement to sponsor.

Councilor Sciascia stated I committed to have a meeting on this as I did with two-family conversions

Chairman Ringius asked if there was a Motion to Table item 003 21 to a future meeting.

A Motion was made by Councilor Sciascia to TABLE item 003 21

Motion: by Councilor Sciascia to TABLE item 003 21

Second: by Councilor Flaherty

Vote: For (4 – Flaherty, Mackin, Ringius, Sciascia), Against (0), Absent (0), Abstain (0)

New Business

- None

It was unanimously voted by Roll Call to adjourn the meeting at 7:00 p.m.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- Minutes of September 21 ,2021
- 21 028 Mayor: Ordinance to Establish Anti Blight Program or take up any action related thereto
- 20 034 Councilor O'Brien: 8.800 Single-Use Plastic Bag Reduction Bylaw or take up any action relative thereto
- 002 21 Councilor Sciascia/Councilor Connors: Amendment to By-law Section 135-1101 or take up any action relative thereto
- 003 21 Councilor Sciascia: Inclusionary Amendment or take up any action relative thereto